

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

MARCUS HOUSE,	:	
Petitioner,	:	Case No. 3:05CV00209
vs.	:	District Judge Thomas M. Rose
		Magistrate Judge Sharon L. Ovington
MIAMI COUNTY JAIL,	:	
Respondent.	:	

ORDER

The Court has reviewed *de novo* the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #3), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby adopts said Report and Recommendations. The Court therefore **ORDERS** that:

1. The Report and Recommendations filed on June 14, 2005 (Doc. #3) is ADOPTED in full;
2. Petitioner Marcus House's Petition for a Writ of Habeas Corpus is DISMISSED without prejudice to refiling after he exhausts his state court remedies; and
3. The case is terminated on the docket of this Court.

July 5, 2005

s/**THOMAS M. ROSE**

Thomas M. Rose
United States District Judge